

Exhibit 16

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A Yes, we did.

Q And approximately how much time went by?

A I really don't know.

Q From the time you first arrived at 100 Street and Central Park West until you left 100 Street and Central Park West to go to the Central Park Precinct, how long were you at that location, at 100 Street and Central Park West?

A Approximately a half-hour.

Q At that point did you return to the Central Park Precinct?

A Yes, we did.

Q How did you get there?

A I drove the van with Officer Reynolds.

Q And do you know how Kevin Richardson got to the Central Park Precinct?

A He went with Officer Sullivan and Sergeant Carabetta.

Q At any time at 100 Street had he been taken out of that car?

A No.

Q Do you know how Raymond Santana and Steve Lopez got to the Central Park Precinct?

A No, I don't.

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Q What happened when you arrived at the Central Park Precinct?

A We brought all five of the people in front of the desk, the Central Park desk.

Q When you say "the desk", is that the desk sergeant at the Central Park Precinct?

A Right.

Q And how long were you before the desk sergeant?

A I was only there for about five minutes.

Q What was the purpose of going before the desk sergeant?

A For everything to be logged for pedigree information.

Q You said that you were only there for approximately five minutes.

What, if anything, did you do after those five minutes?

A I took everybody's phone number and somebody's name. Who they can be reached, so I can contact family members.

Q Where did you go -- withdrawn.

After you took -- did you take that information from each of the five suspects?

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A Yes, I did.

Q Where did you go after you had taken that information from each of them?

A I went into the Anti-Crime office inside the Central Park Precinct and made phonecalls.

Q The Anti-Crime office, which building is that in?

A It's inside the precinct.

Q When you say, "It's inside the precinct," is that a different building from the Community Affairs office?

A Yes.

Q Is that the same building as the desk sergeant is?

A Yes, the Anti-Crime office and the Desk is in the same building.

Q Do you recall who you called first?

A No, I don't.

Q Did you call someone for Kevin Richardson?

A Yes, I did.

Q Did you reach someone when you called?

A Yes.

Q Do you recall who you spoke to?

A I believe it was his mother.

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Q And what, if anything, did you say to her when you reached her?

A I explained that her son was arrested. The reason why he was arrested.

Q What did you tell her for what he was arrested?

A He was involved in an assault.

Q Did you tell her who you were?

A Yes, I did.

Q And what else did you say to her?

A I gave her the location of the precinct and directions how to get here, how to get there, I should say, and a phone number in case she got lost.

Q Did you call someone for Steven Lopez?

A Yes.

Q And do you recall who you spoke to when you called that number?

A No, I don't.

Q Did you in fact reach someone at that number that he had given you?

A Yes, I did.

Q Did you have a conversation with that person?

A Yes, I did.

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Q Do you recall that was a parent or a guardian or a cousin?

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A No, I don't.

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Q What was the substance of what you said to the person?

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A Basically the same as for Richardson.

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I informed him that his son was under arrest. I gave him the location of the Central Park Precinct and a phone number in case he got lost and my name. He can call me in case he got lost.

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13

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Q When you said "He could call you," did you reach a man or a woman?

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A I'm not sure.

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Q And with respect to Raymond Santana, did you make a phone call with respect to Raymond Santana's family?

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A Yes, I did.

20

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Q Do you recall who you spoke to?

A I spoke to his father.

22

23

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Q Tell us, please, what you told his father?

A I explained to his father that he was under arrest, the reason why, and that he was in the Central Park Precinct. I gave him the location and a phone number in case he got lost.

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Q What, if anything, did he say when he gave you that information?

A He said he would be right down. He just needed a few minutes.

Q Did you also make phonecalls for Clarence Thomas and Lamont McCall?

A Yes.

Q And did you also reach parents?

A Yes, I did.

Q What, if anything, did you do when you completed calling the parents or families of the suspects?

A I went to the Juvenile Room and assisted my partner with paperwork.

Q Approximately how long did it take you to make all of those phone calls?

A I'm not sure.

Q Approximately?

A Approximately a half-hour, maybe less. Twenty minutes.

Q When you went into the room that you described as the Juvenile Room -- do we have that, People's 1?

I ask you, if you could --

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THE COURT: Just wait a minute.

Q If you would look at what's been received as People's 1 in evidence.

Would you step down for a moment, please, and indicate where the juvenile room is?

(Witness complies)

A We use this as the juvenile room. This is the juvenile room right over here.

Q And when you went into that room -- well, withdrawn.

After you finished making the phone calls, where did you go?

A Into this room right here.

Q And was anyone in that room when you entered it?

A Yes, there was.

Q Who was already there?

A The five suspects and Officer Reynolds.

Q Would you describe, if you could, where did you see the five suspects within the juvenile room?

A Lamont was sitting over there.

Q Indicating by the first window on the right side of the juvenile room?

A Kevin Richardson was sitting over there.

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Q Indicating between the --

A The two desks.

Q The desk at the upper portion and the lowest desk in that room.

A Clarence Thomas was sitting over here.

Q Indicating the far right bottom corner.

A And Santana and Lopez were sitting over here.

Q Indicating the wall, middle of the wall in the bottom of the room on the diagram.

What, if anything, did you do when you came into that room?

A I sat down on this desk here and assisted Officer Reynolds with the paperwork.

Q Indicating a desk on the left side of the room, closest to the door.

When you say you assisted in doing paperwork, what, if anything, did you do with the paperwork?

A I basically took pedigree information from each of the suspects.

Q When you say "Pedigree information," what types of questions did you ask to get pedigree information? What is pedigree information?

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A Name, date of birth, age, height, weight, mother's maiden name, phone numbers --

Q You recall approximately what time it was that you came to that room after finishing the phone calls?

A Approximately 11:30.

Q And while you were in the room doing the -- asking the pedigree questions and beginning to fill out the paperwork, did there come a time where you heard any of suspects in the room make a statement?

A Yes, I did.

Q And could you tell us who was it, who made a statement?

You may resume your seat.

(Witness complies)

MR. BERMAN: Judge, may the record indicate he's referring to some notes now.

THE COURT: Yes.

THE WITNESS: I made a statement to the group stating, "You guys shouldn't be out here beating up on people. You should be out with your girlfriend," and Raymond Santana looked at Steven Lopez with a smile and stated, "I already got mines," and they

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2 both began to laugh.

3 Q Approximately what time was it, if you
4 recall, that was said?

5 A Approximately 23:40.

6 Q 23:40 is what time?

7 A 11:40.

8 THE COURT: Santana said that to who?

9 THE WITNESS: To Steven Lopez.

10 Q Sometime after -- withdrawn.

11 Did there come a time that evening or that
12 night that you saw Antron McCray at the precinct?

13 A Yes, I did.

14 Q Would you please describe how it came about
15 that Antron McCray came to the Central Park Precinct
16 on that night?

17 A Antron McCray showed up with Clarence
18 Thomas' mother, and Antron's mother also.

19 Q Let me just back up for a moment. When you
20 called Clarence Thomas' parents, were you able to
21 call his family directly?

22 A No, I wasn't. He gave me a number -- a
23 phone number of a friend who lived next door.

24 Q Did you have a conversation with that
25 friend?

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A Yes, I did.

Q What, if anything, did the friend say to you when you called for Clarence Thomas?

A She told me that Clarence's mother was out looking for Clarence, he had not come home yet and she was worried about him.

Q Did you ask her -- what did you tell her?

A I explained the situation to her, that Clarence was under arrest and at the Central Park precinct, and if she could contact Clarence's mother and for Clarence's mother to give a call at the Central Park Precinct, or come to the precinct herself.

Q And did there come a time when Clarence's mother did come to the precinct?

A Yes, she did.

Q Approximately what time was that?

A Approximately 12:00.

Q Did she come alone or with someone?

A She came with Antron McCray's mother and Antron McCray.

Q Where was it that you first became aware of Clarence Thomas' mother's presence?

A Well, they opened up the door -- as you can

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see there's an office next to the juvenile room,
adjoining the juvenile room?

Q Are you referring to the clerical office
and there's a door between that and the juvenile
room?

A Yes, that's right.

Q What were you about to say?

A We opened the door to show Mrs. Thomas her
son, to see if she would like to ask him if he was
okay and with that and Tom McCray came walking into
the juvenile room.

Q And did he speak to you or did you speak to
him?

A I asked who he was.

Q And what, if anything, did he say?

A He said his name is Antron McCray.

Q At the time that you saw him in the
precinct, did you also see his mother at the time?

A Yes, I did.

Q How was it that you saw her?

A She was right next to him.

Q Was she in the clerical room or the
juvenile room?

A She was in the juvenile room.

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Q If you can, for the moment, step down, please, and show us where Clarence Thomas' mother was, where Antron McCray was, and where Antron McCray's mother was.

(Witness complies)

A Clarence Thomas' mother stood in the doorway. Antron McCray's mother came in a little bit further, and Antron walked over to see if Clarence was okay. (Indicating).

Q Would you indicate, as best you can, where Antron McCray was when he entered and walked into the juvenile room?

A He walked in here and walked over this way, and Clarence was sitting over here (indicating). He wanted to see if Clarence was okay.

Q Did you have a conversation with Antron McCray at that point?

A Yes, I did.

Q What, if anything, did you say to him, and what, if anything, did he say to you?

A First, I asked him his name. He said Antron McCray. I said, "Were you with these guys tonight," with his mother present, and he said, "Yes, I was, but I ran when you guys started chasing

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2 us."

3 Q Did you say anything further to him?

4 A Yes. I asked him to look me in the eye and
5 tell me the truth. And I said, "Did you hit anybody
6 tonight," and he wouldn't look me in the eye. He
7 looked away and said, "No."

8 MR. JOSEPH: Objection, Judge.

9 THE COURT: I will allow it.

10 Q Where was his mother standing when you had
11 that conversation with him?

12 A Right next to him. He walked this way and
13 his mother was standing next to him, (indicating).

14 Q Did he say anything further at that point?

15 A No, he didn't.

16 Q Did his mother say anything further at that
17 point?

18 A No.

19 Q What, if anything, did you do after the
20 conversation with him?

21 A I left the room and conferred with my
22 sergeant.

23 Q What, if anything, did you say to your
24 sergeant?

25 A I explained to my sergeant that Clarence

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Thomas and Kevin Richardson both stated that Antron McCray did the murder, and I wanted to see if we could lock up Antron McCray and arrest him also.

Q What, if anything, did your sergeant say?

A He said we didn't catch him at the scene, and the evidence was just -- it wasn't enough to lock them up at that point.

Q Did you then return to the juvenile room?

A Yes, I did.

Q Was Antron McCray still there?

A He was back in the clerical office.

Q And where was his mother?

A With him.

Q And where was Mrs. Thomas?

A She was also in the clerical room.

Q Did you arrest Antron McCray that night?

A No, I didn't.

MS. LEDERER: You may resume your seat.

(Witness complies)

Q Did there come a time after you made the phonecalls to the parents of the suspects, that you became aware of any parents arriving at the precinct?

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